

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
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REC'D 26 AUG 2005

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **24 AUG 2005**

FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference

139381WO

International application No.

International filing date (day/month/year)

21 April 2005 (21.04.2005)

Priority date (day/month/year)

21 April 2004 (21.04.2004)

PCT/US05/13826

International Patent Classification (IPC) or both national classification and IPC

IPC(7): H04Q 7/20 and US Cl.: 455/445

Applicant

ALCATEL WIRELESS, INC.

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Eliseo Ramos-Feliciano Telephone No. 703-305-3900
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Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/13826

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US05/13826

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>11-20</u>	YES
	Claims <u>1-10</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-20</u>	NO
Industrial applicability (IA)	Claims <u>1-20</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-10 lack novelty under PCT Article 33(2) as being anticipated by Houde et al. (US Patent Number 5,978,678).

Regarding claim 1, Houde et al. discloses a method for routing calls in a distributed mobile switching center environment (Figure 1), the method comprising:

receiving a call (incoming call) at a first node in a telecommunication network (switch - Figure 1), the first node associated with a plurality of trunks;

identifying a constraint ("location") relating to selection of a circuit associated with one of the plurality of trunks associated with the first node for routing the call; and

routing the call to a trunk (e.g. local directory number) in accordance with the constraint (location: Canada or France). See abstract, column 2, lines 20-55, and column 6, lines 5-53.

Regarding claims 2-8, everything claimed as explained above (see claim 1). In addition, Houde et al. discloses wherein the first node comprises one of a plurality of nodes (switches) operable to handle bearer traffic, each of the plurality of nodes operating under control of a server (register and/or gateway) using signaling traffic associated with the bearer traffic.

The constraint relates to one of a preference or a restriction against routing the call through an interconnection with another of the plurality of nodes. In this case, for example, "preference" because of location.

The constraint is defined in a set of routing rules based on data relating to the call (abstract).

The server controls routing of the call to a trunk (local directory number).

The preference includes: selecting a circuit associated with the first node for routing the call if a circuit associated with the first node is available; and allowing use of a circuit associated with a particular other one of the plurality of nodes through an interconnection with the particular one of the plurality of nodes if a circuit associated with the first node is not available.

The restriction comprises precluding selection of a circuit associated with one of the plurality of nodes other than the first node. For example, in user is located in France, Canadian nodes are precluded from selection.

Each of the plurality of trunks is associated with a plurality of circuits, and each node is associated with at least one circuit for each trunk. See abstract, column 2, lines 20-55, and column 6, lines 5-53.

Regarding claims 9-10, everything claimed as explained above (see claim 1). In addition, Houde et al. discloses wherein at least two of the nodes serve an overlapping geographical area; or wherein at least two of the nodes serve different geographical areas. See Figure 1 of Houde et al.

Claims 11-20 lack an inventive step under PCT Article 33(3) as being obvious over Houde et al. (US Patent Number 5,978,678).

Regarding claims 11-20, they are obvious variations of claims 1-10. Therefore same explanation presented above is applied.